

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP PRODUCTS  
LIABILITY LITIGATION

MDL No. 2741

Case No. 16-md-02741-VC

This document relates to:

*Stevick v. Monsanto Co.*, 16-cv-2341

*Giglio v. Monsanto Co.*, 16-cv-5658

*I. Hernandez v. Monsanto Co.*, 16-cv-5750

*Sanders v. Monsanto Co.*, 16-cv-5752

*Domina v. Monsanto Co.*, 16-cv-5887

*Russo v. Monsanto Co.*, 16-cv-6024

*Perkins v. Monsanto Co.*, 16-cv-6025

*Mendoza v. Monsanto Co.*, 16-cv-6046

*Harris v. Monsanto Co.*, 17-cv-3199

*Alvarez Calderon v. Monsanto Co.*, 19-cv-1630

*Tanner v. Monsanto Co.*, 19-cv-4099

*Pollard v. Monsanto Co.*, 19-cv-4100

*Dickey v. Monsanto Co.*, 19-cv-4102

*Janzen v. Monsanto Co.*, 19-cv-4103

**AMENDED PRETRIAL ORDER NO.  
201: ORDER RE MOTION TO  
EXCLUDE TESTIMONY OF DR.  
SAWYER  
(WAVE 1 CASES)**

Re: Dkt. Nos. 8010, 8572, 8573

The bulk of Monsanto's motions to exclude testimony from Sawyer is moot, because the plaintiffs have clarified that Sawyer does not intend to offer many of the opinions to which Monsanto objects. For example, the plaintiffs clarify that Sawyer will not offer an opinion on general causation, nor will he offer a differential diagnosis opinion as to any individual plaintiff.

The plaintiffs assert that Sawyer should nonetheless be permitted to opine that a plaintiff's "exposure to Roundup was sufficient to cause NHL." Thus, this aspect of Monsanto's

motions is not moot. Because Sawyer will not offer an opinion on general causation or differential diagnosis, it follows that he may not opine that a plaintiff's "exposure to Roundup was sufficient to cause NHL." On the other hand, to the extent Sawyer has offered an opinion on a particular plaintiff's level of exposure or rate of absorption, it would be permissible for that plaintiff's counsel to ask Sawyer to assume that a particular exposure or absorption level creates an NHL risk based on other experts' testimony, and then asked if the particular plaintiff exceeded that exposure or absorption level.

**IT IS SO ORDERED.**

Dated: January 22, 2020

A handwritten signature in black ink, appearing to read "V. Chhabria", is positioned above a horizontal line.

VINCE CHHABRIA  
United States District Judge